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2 IN THE UNITED STATES DISTRICT COURT  
3 FOR THE EASTERN DISTRICT OF CALIFORNIA  
4

5 SAMUEL ANDERSON,

1:12-cv-01987 GSA (PC)

6 Plaintiff,

ORDER TRANSFERRING CASE TO THE  
CENTRAL DISTRICT OF CALIFORNIA

7 vs.

8 MATTHEW TATE, et al.,

9 Defendants.

10 \_\_\_\_\_/

11 Plaintiff, a state prisoner proceeding pro se, has filed a civil rights action pursuant to 42  
12 U.S.C. § 1983.

13 The federal venue statute requires that a civil action, other than one based on diversity  
14 jurisdiction, be brought only in “(1) a judicial district where any defendant resides, if all defendants  
15 reside in the same state, (2) a judicial district in which a substantial part of the events or omissions  
16 giving rise to the claim occurred, or a substantial part of the property that is the subject of the action  
17 is situated, or (3) a judicial district in which any defendant may be found, if there is no district in  
18 which the action may otherwise be brought.” 28 U.S.C. § 1391(b).

19 In this case, most of the defendants reside in Los Angeles County, where the claim arose,  
20 which is in the Central District of California. Therefore, plaintiff’s claim should have been filed in  
21 the United States District Court for the Central District of California. In the interest of justice, a  
22 federal court may transfer a complaint filed in the wrong district to the correct district. See 28  
23 U.S.C. § 1406(a); Starnes v. McGuire, 512 F.2d 918, 932 (D.C. Cir. 1974).

24 Accordingly, IT IS HEREBY ORDERED that this matter is transferred to the United States  
25 District Court for the Central District of California.

26 IT IS SO ORDERED.

27 Dated: **December 13, 2012**

/s/ Gary S. Austin  
UNITED STATES MAGISTRATE JUDGE

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